

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/10735

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : C12N 5/00, 5/02
US CL : 435/375

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
U.S. : 435/375

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
Please See Continuation Sheet

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X, P	PENG et al. Regulated expression of diphtheria toxin in prostate cancer cells. Molecular Therapy. October 2002, Vol. 6, No. 4, pages 537-545, see entire document.	1
X,P	US 6,461,869 B1 (SCHWARZENBERGER et al) 08 October 2002 (08.10.2002), see whole document, especially columns 6-7.	1
Y	US 5,652,224 A (WILSON et al) 29 July 1997 (29.07.1997), see whole document, especially columns.	1
X,P	US 6,417,002 B1 (HOLICK et al) 09 July 2002 (09.07.2002), see whole document especially columns 7,11, and 13.	1,2,28
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Y,P	KIMATA et al. Expression of Non-ADP-Ribosylatable, Diphtheria toxin-resistant elongation factor 2 in saccharomyces cerevisiae Biochemical and Biophysical Research Communications. 31 March 1999, Vol. 191, No. 3, pages 1145-1151, see entire document.	3,4,29,30,31,32
Y		1-4,28-32

Further documents are listed in the continuation of Box C.

See patent family annex.

• Special categories of cited documents:	"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier application or patent published on or after the international filing date	"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&"	document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means		
"P" document published prior to the international filing date but later than the priority date claimed		

Date of the actual completion of the international search

27 June 2003 (27.06.2003)

Date of mailing of the international search report

18 SEP 2003

Name and mailing address of the ISA/US

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Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This international report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claim Nos.: because they relate to subject matter not required to be searched by this Authority, namely:

2. Claim Nos.: because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claim Nos.: 5-27 because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

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Continuation of B. FIELDS SEARCHED Item 3:

WEST2.1, STN

search terms: packaging cell line, PEA, DT-A, adenovirus, EF-2 gene, A subunit of diphtheria toxin, pseudomonas exotoxin